

Brian C. Brook

From: Brian C. Brook
Sent: Tuesday, June 6, 2017 6:52 PM
To: Bauer, William G.; Keneally, Paul F.
Cc: rcalihan@calihanlaw.com
Subject: RE: Kleeberg v Eber - Rule 26(f) Comments?

Bill,

We're already a day late because of your request to have until today. I'm not sure what comments you intend to convey, but I intend to go ahead and file this tonight since I'm not going to be available tomorrow to do so. I'll wait until later tonight to give you more time if need be.

Brian

From: Bauer, William G. [mailto:wbauer@woodsoviatt.com]
Sent: Monday, June 5, 2017 12:43 PM
To: Keneally, Paul F. <PKeneally@underbergkessler.com>
Cc: Brian C. Brook <Brian@clintonbrook.com>; rcalihan@calihanlaw.com
Subject: Re: Kleeberg v Eber - Rule 26(f) Comments?

Brian I just finished up positions I need until tomorrow to give you any comments
Bill
Sent from my iPhone

William G. Bauer, Esq.
Partner
Woods Oviatt Gilman LLP

Direct Dial: [585-987-2811](tel:585-987-2811)
Direct Fax: [585-987-2911](tel:585-987-2911)

wbauer@woodsoviatt.com
<http://www.woodsoviatt.com>

Firm Phone: [585-987-2800](tel:585-987-2800)
Firm Fax: [585-454-3968](tel:585-454-3968)

[700 Crossroads Building](http://700crossroads.com) [2 State Street](http://2statestreet.com) [Rochester, New York 14614](http://rochesternewyork14614.com)

A Member of MERITAS Firms Worldwide.

THE INFORMATION CONTAINED IN THIS COMMUNICATION IS CONFIDENTIAL, MAY BE SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE, AND IS INTENDED ONLY FOR REVIEW AND USE BY THE ADDRESSEE. UNAUTHORIZED USE, DISCLOSURE OR COPYING OF THIS COMMUNICATION OR ANY PART THEREOF IS STRICTLY PROHIBITED AND MAY BE UNLAWFUL. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE DESTROY THIS COMMUNICATION, INCLUDING ALL ATTACHMENTS. PLEASE NOTIFY US IMMEDIATELY BY RETURN E-MAIL OR CALL 585-987-2800.

On Jun 5, 2017, at 12:38 PM, Keneally, Paul F. <PKeneally@underbergkessler.com> wrote:

This message was sent securely using ZixCorp.

Ok by me.

Paul F. Keneally
PARTNER
pkeneally@underbergkessler.com
www.underbergkessler.com

<image001.jpg>

our most important partner is you®

Underberg & Kessler LLP
300 Bausch & Lomb Place
Rochester, NY 14604
585-258-2882 PHONE
585-258-2821 FAX

From: Brian C. Brook [<mailto:Brian@clintonbrook.com>]

Sent: Monday, June 05, 2017 10:22 AM

To: Bauer, William G. <wbauer@woodsoviatt.com>; 'rcalihan@calihanlaw.com'
<rcalihan@calihanlaw.com>

Cc: Keneally, Paul F. <PKeneally@underbergkessler.com>

Subject: RE: Kleeberg v Eber - Rule 26(f) Comments?

Counsel,

Absent any comments received by early afternoon, I will interpret that as your consent to file this as is. The rules require that we file this by today, since it is 14 days after we held the conference.

The one wrinkle is signing it. I usually like to have everyone's signature (just the usual /s electronic signature), but I don't think that's necessary and obviously I won't do that without your explicit consent that I do so. So if you are able to get back to me one way or the other, I would appreciate it.

Thanks,

Brian

From: Brian C. Brook

Sent: Thursday, June 1, 2017 5:58 PM

To: Bauer, William G. <wbauer@woodsoviatt.com>; 'rcalihan@calihanlaw.com'
<rcalihan@calihanlaw.com>

Cc: 'Keneally, Paul F.' <PKeneally@underbergkessler.com>

Subject: Kleeberg v Eber - Rule 26(f) Comments?

Bill and Rob,

Do you have any comments on the 26(f) discovery plan report? I'd like to get that finalized tomorrow if possible. Also, if you're going to notify the Court about the status of the probate proceedings, I would encourage you to do so soon. Are you still waiting for a final order or decree in that matter?

I've revised the attached to reflect Paul's edits.

Thanks,

Brian C. Brook | **Clinton Brook & Peed**
641 Lexington Avenue, 13th Floor
New York, NY 10022
(212) 256-1957
brian@clintonbrook.com

This email is intended only for the use of the party to which it is addressed and may contain information that is privileged, confidential, or protected by law. If you are not the intended recipient you are hereby notified that any unauthorized dissemination, copying or distribution of this email or its contents is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

This message was secured by ZixCorp^(R).